



Letter of Appeal
Federal Communications Commission
Office of the Secretary
445 – 12th Street, S. W.
Room TW – A325
Washington, DC 20554

RECEIVED

AUG 2 1 2001

FCC MAIL ROOM

Re: CC Docket Nos. 96-45, and 97-21

Form 471 Application Number: 236361 Funding Year 4: 07/01/2001 – 06/30/2002

Billed Entity Number: 141140

To Whom It May Concern:

This letter is an <u>appeal</u> to the Funding Commitment Letter (Exhibit A) received by Connally Independent School District dated 07/23/01 for funding year 4 (07/01/2001 - 06/30/2002). We are appealing the following Funding Request Numbers:

FRN - 555030

FRN - 555150

FRN - 555213

FRN - 555278

*All of the above FRNs were <u>not funded</u> for the following reason: "The FRN references a Form 470 which has not been certified within the FY4 Window."

Reason for appeal:

Connally ISD Form 470 (Application # 337800000304035) was signed on 11/03/2000, mailed via Federal Express on 11/13/2000, received by the SLD on 11/14/2000 and signed for by Wanda Allenoshel. See Exhibit B for hardcopy supporting documents. The SLD also received that same day and in the same FedEx package Form 470 for Connally Intermediate Center, Elm Mott Center, and Lakeview Academy. These entities were marked complete, but not Connally ISD.

Mollof Copies recid<u>O</u> List A B C D E Please review the supporting documents. Thank you for your prompt attention to this matter.

Sincerely,

Dr. Don Hancock, Cd. D.

Superintendent

Connally Independent School District

715 Rita St.

Waco, Texas 76705

Phone - 254.799.2426

Email - dhancock@esc12.net

Contact Person:

Candace Threadgill

715 Rita St.

Waco, Texas 76705

Phone - 254.799.0688

FAX - 254.412.5557

Email - cthreadgill@esc12.net



Universal Service Administrative Company

Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 4: 07/01/2001 - 06/30/2002)

July 23, 2001

CONNALLY INDEP SCHOOL DISTRICT Candace Threadgill 715 N RITA ST WACO, TX 76705-1140

Re: Form 471 Application Number: 236361 Funding Year 4: 07/01/2001 - 06/30/2002

Billed Entity Number: 141140

Thank you for your 2001-2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to begin payment to your service provider and provides certified indication that your technology plan(s) has been approved. The Form 486 and instructions can be found on the SLD web site at <www.sl.universalservice.org> or you can call the SLD Client Service Bureau at 1-888-203-8100 and ask that the form be sent to you. The new Form 486, dated July 2001 in the lower right corner, MUST be used for Funding Year 4 and for any previous funding years once it becomes available. Subsequent submissions of earlier versions of the Form 486 will be returned to you and will not be able to be processed. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you.

On December 21, 2000, the Children's Internet Protection Act was signed into law. That law will require schools and libraries that receive Universal Service discounts for certain services to adopt an Internet safety policy incorporating the use of filtering or blocking technology on computers with Internet access as a condition of receiving those discounts. THE LAW DOES NOT, HOWEVER, REQUIRE THIS TO BE IN PLACE FOR FUNDING YEAR 4. RECIPIENTS WILL HAVE TO CERTIFY, HOWEVER, THAT THEY ARE UNDERTAKING SUCH ACTIONS, INCLUDING NECESSARY PROCUREMENT PROCEDURES, TO PUT SUCH TECHNOLOGY PROTECTION MEASURES IN PLACE. For Funding Year 4 (the Funding Year beginning July 1, 2001), Billed Entities filing Form(s) 486 may encounter one or more situations that will affect their filing deadline(s). See the requirements for Funding Year 4 below and the Form 486

Instructions for more information on filing deadlines to ensure that your discounts can be paid retroactively to the Service Start Date. You are advised to keep proof of the date of mailing.

- 1. If Funding Year 4 services start on or before Sunday, October 28, 2001, and the date of your Funding Commitment Decision Letter is before Sunday, October 28, 2001, your Form 486 must be postmarked on or before October 28, 2001 in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this certification deadline will result in reduced funding.
- 2. If your services start after October 28, 2001, your Form 486 must be postmarked no later that 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.

You may also check the SLD web site at <www.sl.universalservice.org> or call the Client Service Bureau at 1-888-203-8100 for more information about how this new law might impact universal service discounts and any needed documentation for Funding Year 4 (July 1, 2001-June 30, 2002).

TO APPEAL THESE FUNDING COMMITMENT DECISIONS

If you wish to appeal the Funding Commitment Decision(s) (FCD) indicated in this letter, your appeal must be made in writing and RECEIVED BY THE SCHOOLS AND LIBRARIES DIVISION (SLD) at the SLD address below WITHIN 30 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

- 1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
- 2. State outright that your letter is an appeal. Identify which FCD Letter you are appealing. Indicate the relevant funding year and the date of the Funding Commitment Decision Letter. Your letter of appeal must also include the applicant name, the Form 471 Application Number, and the Billed Entity Number from the top of your FCD Letter.
- 3. Identify the particular Funding Request Number (FRN) that is the subject of your appeal. When explaining your appeal, include the precise language or text from the Funding Commitment Decision Letter that is at the heart of your appeal. By pointing us to the exact words that give rise to your appeal, the SLD will be able to more readily understand and respond appropriately to your appeal. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
- 4. Provide an original authorized signature on your letter of appeal.

Please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Appeals submitted by fax, phone call, and e-mail CANNOT be processed.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445-12th Street SW, Room TW-A325, Washington, DC 20554. You should refer to CC Docket Nos. 96-45 and 97-21 on the first page of your appeal to the FCC. Your appeal must be made in writing and RECEIVED BY THE FCC at the FCC address above WITHIN 30 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information regarding filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference area of the SLD web site <www.sl.universalservice.org>.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the universal service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SLD or the Federal Communications Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SLD subsequently determines that its commitment was erroneously issued due to action or inaction, including but not limited to that by SLD, the Applicant, or Service Provider, and that the action or inaction was not in accordance with such requirements, SLD may be required to cancel these funding commitments and seek repayment of any funds disbursed not in accordance

with such requirements. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

We look forward to continuing our work with you on connecting our schools and libraries through advanced telecommunications services.

Sincerely,

Schools and Libraries Division Universal Service Administrative Company

Enclosures

A GUIDE TO THE FUNDING COMMITMENT REPORT

Attached to this letter will be a report for each E-rate funding request from your application. We are providing the following definitions.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to Applicants and Service Providers the status of individual discount funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of three definitions: "Funded," "Not Funded," or "As Yet Unfunded."

- An FRN that is "Funded" will be approved at the level that SLD determined is appropriate for that item. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
- 2. An FRN that is "Not Funded" is one for which no funds will be committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision," and amplification of that explanation may be offered in the section, "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funds in the Universal Service Fund was insufficient to fund all requests.
- 3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for internal connections at a particular discount level. For example, if your application included requests for discounts on both telecommunications services and internal connections, you might receive a letter with our funding commitment for your telecommunications funding requests and a message that your internal connections requests are "As Yet Unfunded." You would receive a subsequent letter(s) regarding the funding decision on your internal connections requests.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support programs. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on Form 471.

EARLIEST POSSIBLE EFFECTIVE DATE OF DISCOUNT: The first possible date of service for which the SLD will reimburse service providers for the discounts for the service.

CONTRACT EXPIRATION DATE: The date the contract expires. This will be present only if a contract expiration date was provided on Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a will be listed. This will appear only for "site specific" FRNs.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23, Column I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: This is the discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse service providers for the approved discounts for this service through June 30, 2002. It is important that you and the service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry may amplify the comments in the "Funding Commitment Decision" area.

FUNDING COMMITMENT REPORT

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Form 471 Application Number: 236361 Funding Request Number: 555030 F
 Services Ordered: Telecommunications Service
SPIN: 143004662
Contract Number: 555030 Funding Status: Not Funded
SPIN: 143004662

Contract Number: T

Billing Account Number: 254.799.2426

Earliest Possible Effective Date of Discount: 07/01/2001

Contract Expiration Date: 06/30/2002

Pre-Discount Amount: $20,220.00

Discount Percentage Approved by the SLD: N/A

Funding Commitment Decision: $0.00 - 470 Not Certified

Funding Commitment Decision Explanation: The FRN references a Form 470 which has not been certified within the FY4 window.
                                                                                              Service Provider Name: Southwestern Bell Telephone Col
 Funding Request Number: 555150
                                                                                      Funding Status: Not Funded
 Services Ordered: Telecommunications Service SPIN: 143001192 Service
SPIN: 143001192

Contract Number: T

Billing Account Number: 254.799.2426

Earliest Possible Effective Date of Discount: 07/01/2001

Contract Expiration Date: 06/30/2002

Pre-Discount Amount: $5,940.00

Discount Percentage Approved by the SLD: N/A

Funding Commitment Decision: $0.00 - 470 Not Certified

Funding Commitment Decision Explanation: The FRN references a Form 470 which has not been certified within the FY4 window.
                                                                                              Service Provider Name: AT&T Corp.
been certified within the FY4 window.
Funding Request Number: 555213 Funding Statement Services Ordered: Telecommunications Service SPIN: 143019623 Service
                                                                                      Funding Status: Not Funded
                                                                                             Service Provider Name: Nextel Partners, Inc.
SPIN: 143019623
Contract Number: N/A
Billing Account Number: 254.799.2426
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Pre-Discount Amount: $11,400.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: $0.00 - 470 Not Certified
Funding Commitment Decision Explanation: The FRN references a Form 470 which has not
been certified within the FY4 window.
Funding Request Number: 555278
Services Ordered: Internet Access
SPIN: 143020015
                                                                                     Funding Status: Not Funded
                                                                                             Service Provider Name: EDLINK12 Telecommunications Ne
Contract Number: N/A
Billing Account Number: 254.799.2426
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Pre-Discount Amount: $4,800.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: $0.00 - 470 Not Certified
Funding Commitment Decision Explanation: The FRN references a Form 470 which has not been certified within the FY4 window.
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HOME | CANCEL | HELP

Exhibit B

Entity Number: 141140 Contact Person: Candace Threadgill

Applicant's Form Identifier: 161921-470-1

Phone Number: 254-799-0688

FCC Form

Approval by OMB 3060-0806

470

Schools and Libraries Universal Service Program Description of Services Requested and Certification Form

Form 470 Application Number: 337800000304035

Q the applican impuries (Chellanc around)

- a. Schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. The libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

ADSANIROM TO CONTROL ENGINEERS TO THE CONTROL OF THE STATE OF THE STAT

- a. I individual technology plans for using the services requested in the application
- b. A higher-level technology plans for using the services requested in the application
- c. no technology plan needed; application requests basic local and long distance telephone service only.

217-Status of echnology plans (ligrepresenting multiple entities with mixed status, check both a anoth):

- a. Frachnology plan(s) has/have been approved by a state or other authorized body.
- b. Technology plan(s) will be approved by a state or other authorized body.
- c. The application requests basic local and long distance telephone service only; no technology plan needed.
- 22. F I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
- 23. Trecognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.
- 24. F I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person Don Dancach, Ed.D	26. Date 11-03-00
27. Printed name of authorized person Dr. Don Hancock	
28. Title or position of authorized person Superintendent	
29. Telephone Number (254) 799-2426	

Form 470 Application Number: 337800000304035 CONNALLY INDEP SCHOOL DISTRICT 715 N RITA ST WACO, TX 76705-1140

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C.Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C.Sec. 1001.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator, themselves or as part of a consortium. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please submit this form to:

SLD - Form 470 P.O. Box 7026 Lawrence, KS 66044-7026 1-888-203-8100

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD - Form 470 c/o Ms. Smith 3833 Greenway Drive Lawrence, KS 66046 1-888-203-8100

Done

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By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

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July 30,2001

CANDACE THREADGILL (254) 412-5557

Dear CANDACE THREADGILL:

Our records reflect the following delivery information for the shipment with the tracking number 825007222099.

Delivery Information:

Signed For By: W.ALLENOSHEL

3833 GREENWAY DR Delivered to:

Delivery Date: November 14, 2000

Delivery Time: 08:52 AM

Shipping Information:

Ship Date: November 13, 2000 Tracking No: 825007222099

Wards alle - Oshl

Shipper: CONNALLY IS D MS SMITH Recipient: SLD FORM 470 715 N RITA ST

> WACO, TX 767051199 3833 GREENWAY DRIVE LAWRENCE, KS 66046

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